AMENDMENTS

In the Claims

The following is a marked-up version of the claims with the language that is underlined ("___") being added and the language that contains strikethrough ("—") being deleted:

Listing of Claims:

Claims 1-14 (Cancelled).

15. (Currently Amended) ~~A computer-assisted process for determining an estimated value of an intellectual property portfolio, the process comprising the steps of:~~ A computer program product storing computer instructions therein for instructing a computer to perform a process for automatically determining a machine implemented estimated value of an intellectual property portfolio, the program product comprising:

a recording medium readable by the computer; and

the computer instructions stored on said recording medium instructing the computer to perform the process, the instructions including:

(a) ~~storing~~ electronically retrieving, by ~~a~~ the computer, first objectively determinable characteristics of representative intellectual property portfolios and objectively determinable values corresponding to each of the representative intellectual property portfolios stored in a first database, the first objectively determinable characteristics and the objectively determinable values forming a baseline against which to assess the estimated value of the intellectual property portfolio;

(b) analyzing the intellectual property portfolio by the computer to determine second objectively determinable characteristics of the intellectual property portfolio to be estimated;

(c) deriving by the computer first information representing the second objectively determinable characteristics of the intellectual property portfolio to be estimated responsive to said analyzing step (b);

(d) electronically retrieving, by the computer, second information representing the first objectively determinable characteristics and the objectively determinable values of the representative intellectual property portfolios stored in a second database; and

(e) comparing, by the computer, the first information received from said deriving step (c) to the second information received from said retrieving step (d) ~~producing~~ and generating an estimated value of the intellectual property portfolio when the first information of the intellectual property portfolio is statistically similar to the second information of one of the representative intellectual property portfolios.

16. (Currently Amended) A computer ~~assisted process~~ program product for determining an estimated value of an intellectual property portfolio according to claim 15, wherein the intellectual property portfolio comprises at least one patent, trademark, trade secret and copyright intellectual property.

17. (Currently Amended) A computer ~~assisted process~~ program product for determining an estimated value of an intellectual property portfolio according to claim 15, wherein at least one of a patent database, a trademark database, a copyright database, a technical literature database, a legal reporter database, a current events database and an intellectual property status database are utilized to determine the estimated value of the intellectual property portfolio.

18. (Currently Amended) A computer ~~assisted process~~ program product for determining an estimated value of an intellectual property portfolio according to claim 15,

wherein the intellectual property portfolio comprises a patent portfolio including patents, and

wherein the first objectively determinable characteristics includes patent information derived from the patents in the patent portfolio comprising at least one of the following: number of claims, length of independent claims, number and dates of references cited, number of classes searched, legal status of the patents, number of years until each of the patents expire, group which examined each of the patents, domestic priority, and foreign priority.

19. (Currently Amended) A computer ~~assisted process~~ program product for determining an estimated value of an intellectual property portfolio according to claim 18, wherein the patent information further includes frequency with which the patents have been cited as references for other patents.

20. (Currently Amended) A computer ~~assisted process~~ program product for determining an estimated value of an intellectual property portfolio according to claim 15, further comprising the step of weighing each of the first and second objectively determinable characteristics according to predetermined weighing factors producing weighed first and second objectively determinable characteristics, and

comparing the weighed first and second objectively determinable characteristics to determine the statistical similarity between the weighed first and second objectively determinable characteristics.

21. (Currently Amended) A computer ~~assisted process~~ program product for determining an estimated value of an intellectual property portfolio according to claim 15,

wherein the intellectual property portfolio includes issued patents, and at least one of trademarks and copyrights, and

wherein the first objectively determinable characteristics are derived by analyzing the issued patents, and the at least one of trademarks, trade secrets and copyrights.

22. (Currently Amended) A computer ~~assisted process~~ program product for determining an estimated value of an intellectual property portfolio according to claim 15, wherein the estimated value of the intellectual property portfolio is derived substantially independent of accounting valuation techniques including cost, market and income approaches.

23. (Currently Amended) A computer ~~assisted process~~ program product for determining an estimated value of an intellectual property portfolio according to claim 15, wherein the first information of the intellectual property portfolio is determined to be statistically similar to the second information of one of the representative intellectual property portfolios utilizing at least one of a curve fitting technique and a standard deviation technique.

24. (Currently Amended) A computer ~~assisted process~~ program product for determining an estimated value of an intellectual property portfolio according to claim 15,

wherein the first objectively determinable characteristics include first valuation indicators,

wherein the first valuation indicators are assigned an importance factor based upon predetermined criteria, and

wherein the first valuation indicators are compared to the second objectively determinable characteristics and the estimated value of the intellectual property portfolio is determined responsive to the importance factor of each of the valuation indicators.

25. (Currently Amended) A computer ~~assisted process~~ program product for determining an estimated value of an intellectual property portfolio according to claim 15, wherein the objectively determinable values of the representative intellectual property portfolios include objectively determinable monetary values.

26. (Currently Amended) A computer ~~assisted process~~ program product for determining an estimated value of an intellectual property portfolio according to claim 25, wherein the objectively determinable monetary values of the representative intellectual property portfolios are determined by at least one of prior adjudication, prior license values, prior purchase values and an accountant evaluation based upon generally acceptable accounting procedures (GAAP) of the representative intellectual property portfolios.

27. (Currently Amended) A computer ~~assisted process~~ program product for determining an estimated value of an intellectual property portfolio according to claim 15, wherein the first objectively determinable characteristics include at least one of prior adjudication values, prior license values, and prior purchase values.

28. (Currently Amended) ~~A computer assisted process for determining an estimated value of an intellectual property portfolio, the process comprising the steps of:~~ A computer program product storing computer instructions therein for instructing a computer to perform a process for automatically determining a machine implemented estimated value of an intellectual property portfolio, the program product comprising:

a recording medium readable by the computer; and

the computer instructions stored on said recording medium instructing the computer to perform the process, the instructions including:

(a) analyzing by the computer the intellectual property portfolio;

(b) deriving by the computer first information responsive to said analyzing step (a) based upon the intellectual property portfolio stored in a first database;

(c) electronically retrieving, by ~~a~~ the computer, empirical data relating to intellectual property portfolios stored in a second database; and

(d) comparing by the computer the first information derived in said deriving step (b) to the empirical data retrieved from said retrieving step (c) ~~producing~~ and generating an estimated intellectual property worth indicator indicating the worth of the intellectual property portfolio.

29. (Currently Amended) A computer ~~assisted process~~ program product for determining an estimated value of an intellectual property portfolio according to claim 28, wherein the intellectual property portfolio comprises at least one patent, trademark, trade secret and copyright intellectual property.

30. (Currently Amended) A computer ~~assisted process~~ program product for determining an estimated value of an intellectual property portfolio according to claim 28, wherein at least one of a patent database, a trademark database, a copyright database, a legal reporter database, a technical literature database, a current events database and an intellectual property status database are utilized to determine the estimated intellectual property worth indicator of the intellectual property portfolio.

31. (Currently Amended) A computer ~~assisted process~~ program product for determining an estimated value of an intellectual property portfolio according to claim 28,

wherein the intellectual property portfolio comprises a patent portfolio including patents, and

wherein the first information includes patent information derived from the patents in the patent portfolio comprising at least one of the following: number of claims, length of independent claims, number and dates of references cited, number of classes searched, legal status of the patents, number of years until each of the patents expire, group which examined each of the patents, domestic priority, and foreign priority.

32. (Currently Amended) A computer ~~assisted process~~ program product for determining an estimated value of an intellectual property portfolio according to claim 31, wherein the patent information further includes frequency with which the patents have been cited as references for other patents.

33. (Currently Amended) A computer ~~assisted process~~ program product for determining an estimated value of an intellectual property portfolio according to claim 28, further comprising the step of weighing each of the first information and the empirical data according to

predetermined weighing factors producing weighed first information and weighed empirical data respectively, and

said comparing step (d) further comprises the step of comparing the weighed first information and the weighed empirical data to determine similarity there between to determine the estimated intellectual property worth indicator.

34. (Currently Amended) A computer ~~assisted process~~ program product for determining an estimated value of an intellectual property portfolio according to claim 28,

wherein the intellectual property portfolio includes issued patents, and at least one of trademarks, trade secrets and copyrights, and

wherein the first information are derived by analyzing the issued patents, and the at least one of trademarks and copyrights.

35. (Currently Amended) A computer ~~assisted process~~ program product for determining an estimated value of an intellectual property portfolio according to claim 28, wherein the estimated intellectual property worth indicator of the intellectual property portfolio is derived substantially independent of accounting valuation techniques including cost, market and income approaches.

36. (Currently Amended) A computer ~~assisted process~~ program product for determining an estimated value of an intellectual property portfolio according to claim 28, wherein the first information of the intellectual property portfolio is determined to be statistically similar to the empirical data of the intellectual property portfolio utilizing at least one of a curve fitting technique and a standard deviation technique.

37. (Currently Amended) A computer ~~assisted process~~ program product for determining an estimated value of an intellectual property portfolio according to claim 28,

wherein the first information includes first valuation indicators,

wherein the first valuation indicators are assigned an importance factor based upon predetermined criteria, and

wherein the first valuation indicators are compared to the empirical data and the estimated intellectual property worth indicator of the intellectual property portfolio is determined responsive to the importance factor of the first valuation indicators.

38. (Currently Amended) A computer ~~assisted process~~ program product for determining an estimated value of an intellectual property portfolio according to claim 28, wherein the first information of the intellectual property portfolio includes an objectively determinable monetary value.

39. (Currently Amended) A computer ~~assisted process~~ program product for determining an estimated value of an intellectual property portfolio according to claim 38, wherein the objectively determinable monetary value of the intellectual property portfolio is determined by at least one of prior adjudication, prior license values, prior purchase values and an accountant evaluation based upon generally acceptable accounting procedures (GAAP) of the intellectual property portfolio.

40. (Currently Amended) A computer ~~assisted process~~ program product for determining an estimated value of an intellectual property portfolio according to claim 28, wherein the first information includes at least one of prior adjudication values, prior license values, and prior purchase values.

41. (Currently Amended) ~~A computer assisted process for determining an estimated value of an intellectual property portfolio, the process comprising the steps of:~~ A computer program product storing computer instructions therein for instructing a computer to perform a process for automatically determining a machine implemented estimated value of an intellectual property portfolio, the program product comprising:

a recording medium readable by the computer; and

the computer instructions stored on said recording medium instructing the computer to perform the process, the instructions including:

(a) analyzing by the computer the intellectual property portfolio;

(b) deriving by the computer first information responsive to said analyzing step (a) based upon the intellectual property portfolio;

(c) electronically retrieving by the computer empirical data relating to intellectual property portfolios stored in a first database; and

(d) comparing by the computer the first information derived in said deriving step (b) to the empirical data retrieved from said retrieving step (c) ~~producing~~ and generating an intellectual property worth indicator indicating the worth of the intellectual property portfolio,

wherein the intellectual property includes information ~~obtained~~ electronically retrieved from at least one of a patent database, a trademark database, technical literature database, a copyright database, legal reporter information database, current events database and an intellectual property status information database .

42. (Currently Amended) ~~A computer-assisted process for determining at least one of a financial quality and financial quantity of an intellectual property portfolio, the process comprising the steps of:~~ A computer program product storing computer instructions therein for instructing a computer to perform a process for automatically determining a machine implemented estimated value of an intellectual property portfolio, the program product comprising:

a recording medium readable by the computer; and

the computer instructions stored on said recording medium instructing the computer to perform the process, the instructions including:

(a) analyzing by the computer the intellectual property portfolio stored in an intellectual property database;

(b) deriving by the computer information responsive to said analyzing step (a) based upon the intellectual property portfolio;

(c) electronically retrieving, by ~~a~~ the computer, quality data relating to intellectual property portfolios stored in a first database; and

(d) comparing by the computer the information derived in said deriving step (b) to the quality data retrieved from said retrieving step (c) ~~to determine~~ and generating an intellectual property factor indicating the at least one of the financial quality and the financial quantity of the intellectual property portfolio.

43. (Currently Amended) A computer ~~assisted process~~ program product according to claim 42, wherein the intellectual property portfolio comprises at least one patent, trademark, trade secret and copyright intellectual property.

44. (Currently Amended) A computer ~~assisted process~~ program product according to claim 42, wherein at least one of a patent database, a trademark database, a copyright database, a legal reporter database, a technical literature database, a current events database and an intellectual property status database are utilized to determine the at least one of the financial quality and the financial quantity of the intellectual property portfolio.

45. (Currently Amended) A computer ~~assisted process~~ program product according to claim 42,

wherein the intellectual property portfolio comprises a patent portfolio including patents, and

wherein the information includes patent information derived from the patents in the patent portfolio comprising at least one of the following: number of claims, length of independent claims, number and dates of references cited, number of classes searched, legal status of the patents, number of years until each of the patents expire, group which examined each of the patents, domestic priority, and foreign priority.

46. (Currently Amended) A computer ~~assisted process~~ program product according to claim 45, wherein the patent information further includes frequency with which the patents have been cited as references for other patents.

47. (Currently Amended) A computer ~~assisted process~~ program product according to claim 42, further comprising the step of weighing each of the information and the quality data according to predetermined weighing factors producing weighed information and weighed empirical data respectively, and

said comparing step (d) further comprises the step of comparing the weighed information and the weighed empirical data to determine similarity there between to determine the estimated intellectual property worth indicator.

48. (Currently Amended) A computer ~~assisted process~~ program product according to claim 42,

wherein the intellectual property portfolio includes issued patents, and at least one of trademarks, trade secrets and copyrights, and

wherein the information are derived by analyzing the issued patents, and the at least one of trademarks and copyrights.

49. (Currently Amended) A computer ~~assisted process~~ program product according to claim 42, wherein the at least one of the financial quality and the financial quantity of the intellectual property portfolio is derived substantially independent of accounting valuation techniques including cost, market and income approaches.

50. (Currently Amended) A computer ~~assisted process~~ program product according to claim 42, wherein the information of the intellectual property portfolio is determined to be statistically similar to the quality data of the intellectual property portfolio utilizing at least one of a curve fitting technique and a standard deviation technique.

51. (Currently Amended) A computer ~~assisted process~~ program product according to claim 42, wherein the information includes valuation indicators,

wherein the valuation indicators are assigned an importance factor based upon predetermined criteria, and

wherein the valuation indicators are compared to the quality data and the at least one of the financial quality and the financial quantity of the intellectual property portfolio is determined responsive to the importance factor of the valuation indicators.

52. (Currently Amended) A computer ~~assisted process~~ program product according to claim 42, wherein the information of the intellectual property portfolio includes an objectively determinable monetary value.

53. (Currently Amended) A computer ~~assisted process~~ program product according to claim 52, wherein the objectively determinable monetary value of the intellectual property portfolio is determined by at least one of prior adjudication, prior license values, prior purchase values and an accountant evaluation based upon generally acceptable accounting procedures (GAAP) of the intellectual property portfolio.

54. (Currently Amended) A computer ~~assisted process~~ program product according to claim 42, wherein the information includes at least one of prior adjudication values, prior license values, and prior purchase values.

55. (Currently Amended) ~~A computer assisted process for determining an estimated value of an intellectual property portfolio, the process comprising the steps of:~~ A computer program product storing computer instructions therein for instructing a computer to perform a process for automatically determining a machine implemented estimated value of an intellectual property portfolio, the program product comprising:

a recording medium readable by the computer; and

the computer instructions stored on said recording medium instructing the computer to perform the process, the instructions including:

(a) analyzing by the computer the intellectual property portfolio stored in an intellectual property database;

(b) deriving by the computer information responsive to said analyzing step (a) based upon the intellectual property portfolio;

(c) electronically retrieving, by ~~a~~ the computer, quality data relating to intellectual property portfolios stored in a first database; and

(d) comparing by the computer the information derived in said deriving step (b) to the quality data retrieved from said retrieving step (c) ~~producing~~ and generating an intellectual property quality indicator indicating the at least one of the estimated quality and quantity of the intellectual property portfolio,

wherein the intellectual property database includes at least one of a patent database, a trademark database, a technical literature database, a copyright database, a legal reporter database, a current events database and an intellectual property status database.